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What the Industry Reads First

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Form 477: Deadline Extended with Hurricane Recovery One of the Issues

You can breathe a little easier. The **FCC** on Tuesday decided to extend the deadline for comments in its docket on modernizing the oh-so-important Form 477 by two weeks. This is the form used to determine the strength and locations of voice and broadband competition, which all voice providers and broadband providers are required to fill out twice a year. Comments are now due Oct 9 instead of Sept 25, with replies due Oct 24. The FCC launched a further notice of proposed rulemaking (FNPRM) that would require all providers to offer data on a much more granular level. Currently, they must offer up subscribership info on census tracts and deployment based on census blocks. But the FNPRM puts forth the idea of requiring providers to geocode all the addresses at which service is available, literally getting into the latitude and longitude. Last week, **ACA, NCTA, NTCA, USTelecom** and **WISPA** joined together to ask for a four-week extension to file comments and replies, citing in part the recent hurricanes that have hit the US. “Two natural disasters in less than two weeks ... have impacted our members that reside and operate broadband businesses throughout the affected Southern and Coastal States. At a time when they are trying to rebuild their networks and deal with devastation and destruction of their homes and businesses, they have little ability to provide information necessary to provide the responsive information the Commission desires,” they wrote. The groups also noted that there are several industry conferences coming up over the next few weeks, including WISPAPALOOZA in Vegas, that should help to further develop the record. The FCC was persuaded, but said it believes two weeks is an appropriate period of time. While the proceeding seems to be more about mobile, particularly ensuring proper distribution of Mobility Fund dollars, Form 477 changes will impact cable and all broadband and voice providers. Speaking of hurricanes, FCC chmn *Ajit Pai* and commish *Mignon Clyburn* visited Florida on Monday to get an assessment of damage from Irma. “There is still much more work to be done in the days and weeks ahead, including in the US Virgin Islands, where more than 50% of cell sites remain out of service. Working with my colleagues, members of Congress, as well as state and local officials, we can translate these lessons into policies that ensure our nation’s communications networks and 9-1-1 systems remain reliable and resilient during disasters,” Clyburn said. **Charter** said it has restored service for more than 90% of its Florida customers impacted by Irma and that the loss of com-

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mercial power is the cause of 90% of remaining outages. The operator has also suspended collections activity in the affected areas.

Pai Responds to Dems: FCC chmn *Ajit Pai* last Friday responded to suggestions by Democrats on the House Energy & Commerce Committee that he has favored **Sinclair** during the regulatory process surrounding its pending merger with **Tribune**. The Dems in an August letter asked Pai to address what they perceive as a pattern of preferential treatment for Sinclair, as well as whether there has been improper coordination between Pai's office, the *Trump* administration and Sinclair. Pai asserted the comment period for the Sinclair-Tribune merger is the same as it was for previous broadcast transactions and that neither Sinclair nor Tribune has asked for an expedited process. He also claimed neither company had informed him or his office of a possible transaction when the FCC voted to reinstate the UHF discount. Pai also detailed his two meetings with President Trump since he was elected, as well as three meetings with Sinclair reps. Dems were unsatisfied with his response, noting Pai didn't address whether FCC personnel use their personal email accounts to communicate about Sinclair.

Rumor Mill: Here we go again. **T-Mobile** and **Sprint** are in active merger talks, according to sources cited by **CNBC**. The two wireless companies have been in frequent discussions about a stock-for-stock merger in which T-Mobile parent **Deutsche Telekom** would emerge as the majority owner. The parties have yet to set an exchange ratio. The sources said a final deal would still be weeks away and offered no assurance of an agreement. Research firm **MoffettNathanson** pegged potential cost synergies at about \$40bln, with cost the cost to achieve around \$10bln (net synergy benefit of \$30bln). The firm, however, pointed out significant regulatory hurdles, estimating the likelihood of **Department of Justice** approval at 50/50.

Can't Watch This: **Comcast** will no longer fund original content for its **Watchable** streaming video platform, according to a report from **Digiday**. Comcast's original content team acquired and distributed nearly 30 exclusive short-form shows on the platform over the past year. Comcast did not respond to a request for comment by press time, but the initial report cites the company as saying it "has not made any final decisions on whether to shut down the app entirely and discontinue the Watchable brand."

Meet the New Boss: After 16 straight weeks as the most-viewed cable net in primetime, **Fox News** ceded the top spot to **ESPN**, which averaged 2.9mln P2+ last week. A season-opening "Monday Night Football" doubleheader, in conjunction with Week 2 college football, helped ESPN oust the news net. Saints-Vikings, the first game of the doubleheader, was the most-watched program on cable last week with an average of 11.4mln viewers. The late game, Chargers-Broncos, was the second-highest rated program of the week with 9.9mln viewers. Fox News (2.1mln) was No. 2 in primetime, followed by **MSNBC** (1.6mln), **USA** (1.5mln) and **HGTV** (1.4mln). Fox News' fall from the top spot comes just one week after it saw its 35-week streak atop total-day viewership snapped by **The Weather Channel** amid Hurricanes Harvey and Irma. Last week, Fox News returned to the top in total-day viewership with 1.4mln viewers, followed by **Nickelodeon** (1.1mln), **ESPN** (1mln), **MSNBC** (857K) and **Adult Swim** (842K).

September FCC Meeting: The **FCC** released its official agenda for Tuesday's Open Meeting, which includes a report and order to modernize its cable signal quality and leakage rules to reflect the industry's use of digital transmission systems. **NCTA** has said any sort of mandatory "proof of performance" testing for digital signal quality would be unnecessary, costly and disruptive. A draft of the order has the FCC rejecting a testing regime for digital service, instead relying on an operator's adherence to the SCTE 40 standard for ensuring consumers are receiving good quality signals.

Skills to Pay the Bills: **Midco** has expanded and extended its billing relationship **Netcracker Technology**, allowing the regional cable operator to offer dynamic pricing options at lower operational cost. The company already used Netcracker's solutions for B2C services, but will now also utilize them for B2B services, including data center offerings, labor rates and WiFi. It will also allow the company to tailor bundles to individual business clients.

People: **Investigation Discovery** added **Oxygen Media's Erica Diaz-Gant** as senior director of development and also promoted **Brent Hatherill** to senior director of development. Diaz-Gant most recently served as the executive in charge of Oxygen's longest-running crime series, "Snapped," while Hatherill has been developing the upcoming "James Patterson's Murder is Forever" since joining the ID team in 2016.